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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,816	01/14/2004	Billy B. Edwards	27475/05282	1815

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EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/707,816	Applicant(s) EDWARDS ET AL.	
	Examiner Lloyd A. Gall	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 14-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 14-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2004 and 14 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The written description does not provide support for the "mouth" referred to in claim 1, line 11, for example.

Claims 4, 14, 15, 17, 19, 21, 23 and 25 are objected to because of the following informalities: In claim 4, line 12, "member" should read --members--. In claim 14, line 1, --said-- should follow "wherein". In claim 14, line 2, "side wall" should be in a one word format. In claim 15, line 3, "member" should read --members--. Claim 17 is not understood, as in line 1, it is not clear what constitutes a "sidewall set", and line 1 claims a single set, followed by "each of" said sets. Claim 19 does not further limit claim 9. Claim 21 does not further limit claim 1. Claim 23 does not further limit claim 4. In claim 25, "further comprising... a sidebar spring" is unclear, since claim 4 from which claim 25 depends already claims sidebar springs. Appropriate correction is required.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 24-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 24-26 are regarded as new matter,

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since as set forth in the last line of the Abstract, and in paragraph [0029], lines 41-47, the original specification discloses the tumbler springs as being stronger than the sidebar springs.

In view of the above claim objections and claim rejections, the respective claims (particularly claims 24-26) are rejected as best understood, on prior art, as follows.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10, 14-16 and 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasper (154) in view of Raymond et al (413) and Spain (268). Kasper teaches a lock shell 19 having a cavity 31 as seen in fig. 1 to rotatably receive a key cylinder 23, the lock cylinder is removable and can rotate between locked and unlocked positions, a plurality of tumblers 20 (see USPN 4,635,455 referred to in column 5, line 18 of Kasper) cooperable with a sidebar 38, wherein the key cylinder is only removable when it is rotated by retracting the sidebar to its unlocking position and rotatably disengaging portions 34, 35 of the cylinder of Kasper from the groove 32 of the shell. The sidebar 38 of Oliver which is used by Kasper engages a sidewall cavity. With respect to claims 3, 6 and 7, Oliver also teaches at least four tumblers 20, and any one of those tumblers 20 may be regarded as a shell locking tumbler. The Kasper reference utilizing the sidebar of Oliver does not teach a sidebar cooperating with a projection at the mouth of a sidewall cavity. Raymond et al (413) teaches a sidebar lock

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which uses a plurality of plate tumblers 50 for engaging a portion 52 of the shell, and a sidebar 16. Spain (268) teaches at least four spring-biased 53 plate tumblers 57 cooperable with a sidebar 32, which sidebar engages two angled projections at the corners of the mouth of the sidewall cavity, as seen in fig. 3, and wherein the sidebar includes a spring 39 which forces the sidebar towards the tumblers. It would have been obvious to modify the tumblers and sidebar of the removable lock cylinder of Kasper (which utilizes the Oliver reference) to include plate tumblers which engage a portion of the shell and cooperates with a sidebar (spring-biased towards the tumblers) engagable with at least one projection at the mouth of a sidewall cavity, in view of the respective teachings of Raymond et al and Spain (268), the motivation being to prevent picking of the lock by attempting to draw in the sidebar from the sidewall cavity with picking tools. Any tumbler of the modified lock of Kasper may be regarded as a shell locking tumbler.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kasper (which relies on Oliver) in view of Raymond et al (413) and Spain (268) as applied to claim 9 above, and further in view of Liss (086).

Liss teaches tumblers used with two opposed sidebars 22. It would have been obvious to modify the sidebar lock cylinder of the modified Kasper reference to include a second, opposed sidebar, in view of the teaching of Liss, the motivation being to optimize its anti-picking effectiveness.

Claims 24-26 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasper (which relies on Oliver) in view of Raymond et al (413) and

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Spain (268) as applied to claims 1, 4 and 9, respectively above, and further in view of Richter (115).

Richter teaches that it is well known in the lock/sidebar art to include a tumbler spring bias which is stronger than a sidebar spring bias, as set forth on page 3, lines 47-50. It would have been obvious to modify the lock of Kasper as modified by Raymond et al and Spain, such that the tumbler spring bias is stronger than the sidebar spring bias, in view of the teaching of Richter, the motivation being to ensure that the tumblers must first be key actuated to allow sidebar movement, to optimize pick resistance of the lock, as is well known in the tumbler/sidebar lock art.

Applicant's arguments with respect to claims 1-10 and 14-26 have been considered but are moot in view of the new ground(s) of rejection.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant should note that the Spreng (270), Mueller (246) Swanson (639) and Gray (940) references also are regarded as teaching a sidebar cooperable with at least one projection at the mouth of a sidewall cavity. Also, as seen in figure 7, Teleky teaches a removable lock cylinder including a sidebar 70.

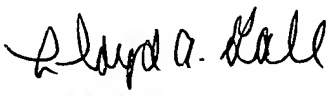
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
March 15, 2006


Lloyd A. Gali
Primary Examiner